ATTENTION: PCT LEGAL OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#10

In re application of:

SACCO, et al.

Attorney Docket No.: 3695-0101P

Serial No.: 09/486,660

Int'l. Application No.: PCT/IT98/00231

Art Unit:

I.A. Filing Date: 08/11/98

Examiner:

Title: TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL

AND CHEMICAL TOXIC AGENTS

October 29, 2001

CHNULOGY CENTER 3700

SUPPLEMENTAL RENEWED REQUEST FOR STATUS UNDER 37 CFR 1.42 AND RENEWED PETITION UNDER 37 CFR 1.47(A)

Box: PCT

Assistant Commissioner for Patents

Washington, DC 20231

21 DE

RECENTER

International Dividian

Attention: PCT Legal Office

Sir:

Supplementarily to the Renewed Request & Petition that was filed on September 28, 2001, we have now received a copy of a supplemental Combined Declaration and Power of Attorney duly executed by all of the living inventors herein. We have also received a copy of the Declaration/Power executed on behalf of Rachele Roncucci and of Regine Roncucci, who are minor heirs of Romeo Roncucci.

SN 09/486,660 Renewed Request & Petition

Should the PCT Legal Examiner wish to discuss any aspect of this matter with Applicants' representative, the PCT Legal Examiner is respectfully requested to telephone Richard Gallagher (Reg. No. 28,781) at (703) 205-8008.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fee required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted, BIRCH, STEWART, KOLASCH & BIRCH, LLP

Joe McKinney Muncy

Reg. No. 32,334

P.O. Box 747 Falls Church, VA 22040-0747 (703) 205-8000

Enclosed:

Declaration/Power (living)
Declaration/Power (Rachele/Regine)

LIVING

BIRCH, STEWART, KOLASCH & BIRCH, LLP

PLEASE NOTE: YOU MUST COMPLETE THE FOLLOWING

(Rev. 06/29/01)

P.O. Box 747 • Falls Church, Virginia 22040-0747 Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:	TRANSGENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL AND CHEMICAL TOXIC AGENTS						
Fill in Appropriate Information - For Use Without	the specificatio	n was filed on <u>28</u> Application Numb	oc <u>09/186,660</u>				1.5
Specification	and amended on 28 February 2000 and 19 December 2000						
Attached:	the specificatio	n was filed on 11	August 1998			as PCT	
						; and was (if applicable)	
	amended under PCT Article 19 on						
	amended by any am I acknowledge Regulations, §1.56. I do not know a thereof, or patented year prior to this applicadate of this applicadate of this applicative or as patent or inventor's application by me or inventor's certification or inventor's certification.	endment referree the duty to dis- und do not believ or described in polication, that the tion, that the invittion in any cou- signs more than certificate on thir my legal represe foreign priority b ate listed below a	I to above. close information wheeless ame was not in prention has not been party foreign to the lawelve months (six me invention has been intatives or assigns, exentite 35 under Title 35 under Title 35	ich is material to mown or used in the mown or used in the iblic use or on sale atented or made the Juited States of A onths for designs) ited in any country cept as follows. United States Cod below any foreign and proper the iblic way foreign the iblic way foreign and proper the iblic way foreign the iblic	patentability as defined before my or our inversion to the United States of Ame before my or our inversion the United States of an inventage of an inventage of an application of this application of the United de, \$119(a)-(d) of any for application for patent	d in Title 37, Co rica before my or ution thereof or a l America more or's certificate issu- tion filed by me on, and that no a States of Americ oreign application	de of Federal our invention nore than one than one year sed before the on my legal pplication for a prior to this n(s) for patent
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information: if appropriate)	M197A 001972 (Number)	(Country)			ay/Year Filed)	Yes	Νo
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	(Number)	(Country)		(Month/Di	sy/Year Filed)	Yes	No
	(Number)	(Country)		(Month/Da	ny/Year Filed)	Yes	No
	I hereby claim the be	nefit under Title :	35, United States Code	e, §119(e) of any Un	ited States provisional	applications(s) lls	sted below.
nsert Provisional Application(s): if any)	(Application Numbe	r)		(Filing)	Date)		
	All Foreign Applicat the Filing Date of Thi		ny Patent or Inventor	ь Certificate Filed I	More than 12 Months (6 Months for Des	igns) Prior to
	Country		Application Number	er	Date of Filing (Mont	h/Day/Year)	
nsert Requested nformation: if appropriate)							
	insofar as the subject application in the ma information which is	t matter of each nner provided by material to the p	of the claims of this the first paragraph of atentability as defined	s application is no if Title 35, United S if in Title 37, Code (ed States and/or PCT a it disclosed in the pric lates Code, \$112, I ack of Federal Regulations, tional filing date of this	or United States nowledge the du §1.56 which beca	d below and, and/or PCT ty to disclose une available
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	(Application Number)	(Filing Date)		(Status - patented, pe	nding, abandone	d)

I hereby appoint the practitioners at CUSTOMER NO. 2292 as my attorneys or agents to pracecute this application and or an international application based on this application and in transact all business it. the United States Patent and Transmirk Office connected therewith and in connection with the resulting patent based on instructions received from the entiry who met sent the application papers to the practitionars, unless the inventor(s) or assignee provides said practitioners with a written house to the contrary:

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP & CUSTOMER NO. 2292

P.O. Box 747 • Falls Church, Virginia 22040-0747 Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE: COMPLETE IH: FOLLOWING:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were state with the knowledge that willful false statements and the like so made are purishable by fine or impresument, or both, under Senten 1001 of Talle 18 of the United States Code and that such willful false statements may perpendice the validity of the application or any patent issued thereon.

	INVENTORS SIGNATUR		DATE		
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Institute of Advanced Biomedical Techn	ologies, CNP, 56 Via Ampere, 20151	Miano, lialy			
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Milero, Italy		Italian			
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GIVEN NAME/FAMILY NAME	inventor's signatur	5	DATE		
Peter BROME EY	Pate Branda	3 /	25.09.01		
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Geneva, Swarperland		Brilish			
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Gene Control S.A., 9 Rue Boissonnus, CF	I-1711 Geneva 24, Switzerland	_	4	1	
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Milano, Italy		Italian.			
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CIVEN NAME/FAMILY NAME Libero A. CLERICI Excidence (City, State & Couldn'y)	INVENTOR'S PICNATURE	· · · · · · · · · · · · · · · · · · ·	10.10.01		
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(Rate, 05/29/01)

*DATE OF SIGNATURE

BIRCH, STEWART, KOLASCH & BIRCH, LLP

P.O. Box 747 • Falls Church, Virginia 22040-0747 Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

PLEASE NOTE: YOU MUST

COMPLETE THE FOLLOWING

(Rev. 06/29/01)

RACHELE/RETHNE

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is daimed and for which a patent is sought on the invention entitled:

Insert Title:	TRANSCENIC ANIMALS FOR THE STUDY OF BIOLOGICAL, PHYSICAL AND CHEMICAL TOXIC AGENTS								
Fill in Appropriate Information - For Use Without Specification Attached:	the specification United States A and amended o the specification International A	n was filed on <u>281</u> pplication Numb n <u>28 February 200</u> n was filed on <u>11</u>	or <u>09/186,660</u> 20 and 19 December 20 August 1998 er <u>PCT/IT98/00231</u>	000			as and/or as PCT and was policable)		
	amended by any am i acknowledge Regulations, §1.56. I do not know a thereof, or patented year prior to this applicadate of this applicadate of this application to inventor's application by me or I hereby claim or inventor's critification by several contraction or inventor's critification.	endment referred the duty to disc and do not believe or described in a plication, that the ilon, that the inve- tion in any cour- signs more than to certificate on this my legal represent foreign priority but te listed below at	to above. lose information whi the same was ever kn ny printed publication same was not in pu ntion has not been pu ntry foreign to the lawelve months (six m invention has been fo ntatives or assigns, ex-	ch is material to prown or used in the non country had blic use or on sale stented or made thrusted States of A country for designs) aled in any country cept as follows. United States Cool below any foreign	bove-identified speci- catentability as defined the United States of Am- before my or our inve- in the United States e subject of an inven- merica on an applica- prior to this application foreign to the United te, \$119(a)-(d) of any application for pater	ed in Title 37, Co erica before my or ention thereof or n of America more tor's certificate isso ation filed by me ion, and that no a d States of Americ	our invention nore than one than one year ted before the or my legal application for a prior to this		
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	All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:								
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nsert Requested nformation: if appropriate)									
	I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.								
nsert Prior US. application(s): if any)	(Application Number	-)	(Filling Date)		(Status - patented,)	pending, abandone	ed)		
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I hereby appoint the practitioners at CUSTOMER NO. 2292 as my attorneys or agents to procedute this application and or an inversament application based on this application and to transact all business it. The United States Patent and Trademark Office connected therewise, and in connection with the resulting patent based on instructions received from the entiry who hast sent the application papers to the practitionary, unless the inventor(s) of assignee provides said practitioners with a written honce to the contrary:

Send Correspondence to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP & CUSTOMER NO. 2292

P.O. Box 747 • Falls Church, Virginia 22040-0747 Telephone: (703) 205-8000 • Facsimila: (703) 205-8050

PLEASE NUIZ YOU MUST COMPLETE FOLLOWING:

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I hereby declare that all statements made herein of my own knowledge are true and that all clatements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willfull false statements and the like so made are purchable by fine or imprisonment or both, under Serson 1001 of Table 18 of the United States Code and that such willful false statements may jumpardize the validity of the application or any patent moned thereon.

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(Rate, 05/27/87)

*DATE OF SIGNATURE

ADDED PAGE TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR SIGNING BY ADMINISTRATOR(TRIX), EXECUTOR(TRIX) OR LEGAL REPRESENTATIVE ON BEHALF OF DECEASED OR INCAPACITATED INVENTOR (37 CFR 1.42 AND 1.43)

I Maria Nove	(a) of administrator (mx), associar (mx) logal representative or all hairs)
hereby declare	that I am a citizen of Italy
address Via U	ngaretti 17
20028 San Vi	tore Olons, Milano, Italy
and that I am	executing and signing the declaration to which this is attached as (check
one);	
	the administrator(trix) of executor(trix) of the last will and testament of legal representative (guardian) of Rachele RONCUCCI and of Regine RONCUCCI, who are minor heirs of Romeo RONCUCCI
Full purpe of (first	, second, etc.) decessed or incorpacitated inventor
Romeo RON	TICCI
Country of citizen	ship of deceased or incapacitated inventor
Italy	
Residence (City, S	tate, and Country) of deceased or incaparitmed inventor
Milano, Italy	
Mailing Address	of deseased of meapsointed inventor
Via Ampere :	56, Milano, Italy
NOTE:	The name of the first, record etc. dozensed or incapabilisted inventor should preferably also be filled in at the appropriate prior space of the docidention adding the words "docenzed-completed on added page" or "incapabilisted-completed on added page."
That, upo	on information and belief, I aver those facts which the inventor is ate.
Deta: 10	(Signature of administratory of the Association)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Attorney Docket No.: 471-129P

SACCO, et al.

Serial No.: 09/486,660

Int'l. Application No.: PCT/IT98/00231

Art Unit:

I.A. Filing Date: 08/11/98

Examiner:

Title: TRANSGENIC ANIMALS FOR THE

STUDY OF BIOLOGICAL, PHYSICAL AND

CHEMICAL TOXIC AGENTS

DECLARATION UNDER 37 CFR 1.132

Box: PCT

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

I, Peter Bromley, declare and say as follows:

I am the Peter Bromley who is one of the co-inventors in the subject U.S. patent application.

I have been informed that our Italian patent attorneys were having difficulty in obtaining execution of the necessary Declaration and Power of Attorney form (attached to a copy of the patent application) by Anne Georgette Cristiane Delachet, guardian of Roxanne Roncucci, a minor heir of our deceased co-inventor Romeo Roncucci.

I have personally attempted to obtain her signature on the application papers.

SN 09/486,660 Bromley Declaration Page 2

I was informed some months ago by Paolo Vezzone of the CNR of the difficulty that the CNR patent lawyers were having in obtaining the signature of one of the heirs of my co-inventor Romeo Roncucci, but I was not informed who the heir was. Until 10 days ago, essentially no patent information was communicated to me by the CNR patent lawyers, and this in spite of my company, Gene Control S.A., being a 40% owner of the cited patent applications.

On Friday October 13th, 2000, our Italian lawyer who was negotiating for a year with the CNR to both improve communications, and to offer to buy out the CNR's part in ownership of the cited Intellectual Property, faxed the information that the CNR agreed to sell. He also transmitted information from the CNR that one of Romeo Roncucci's ex wives was the person who was refusing to sign the Declaration for the United States patent Application and the Assignment. He explained that apparently this person has a total aversion to the CNR.

We were also informed that her signature was required before October 28th, and should preferably be supplied to the CNR lawyers before October 23rd. This thus became Gene Control S.A's responsibility, and we were given ten days to react.

On October 17th I received documentation from the CNR lawyers showing that they had made numerous written communications and phone conversations with Ms. Delachet concerning the required signatures, and this as early as May 2000. Unfortunately they do not have her phone number. I obtained a phone number for her, but apparently an Association number and not a home phone number, which is on the restricted list in France. I, and one of my associates, both managed to speak

SN 09/486,660 Bromley Declaration Page 3

to someone at the Association number, and were told that Mrs Delachet was in a meeting and that we should call back later. I called back and spoke to the same person as before. She said that the meeting was not finished but if I left my phone coordinates, Mrs Delachet would call me back. I left my coordinates but never received a call from her. I called again over three days, but always found an answering machine on; I left multiple messages explaining the situation, my phone coordinates again, but heard nothing back.

On October 19th and again on October 20th, I sent a letter to Mrs Delachet by DHL explaining the situation and the need for a rapid signature; the documents to be signed were included in each letter. I plan to go to Nice, France on Monday, October 20th to try and see Mrs Delachet.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: Outober 20 2000

Peter Bromley